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February 19, 2016

BY ECF

The Honorable Susan D. Wigenton
United States District Judge
Martin Luther King Building
& United States Courthouse
50 Walnut Street
Newark, NJ 07101

Re: United States v. John A. Bennett, No. 09 Cr. 656 (SDW)

Dear Judge Wigenton:

I write to revisit an issue with the Court regarding the language used to refer to the soil switch payments. We would like to briefly address the Court before openings regarding whether the soil switch payments should properly be referred to as kickbacks or whether doing so will cause confusion because they are not charged as kickbacks in the indictment. We have also informed the government of our intention to raise this issue.

Respectfully,


Richard F. Albert

cc: Helen Christodoulou, Esq. (via email)
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Daniel Tracer, Esq. (via email)